



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
Portland, OR 97232

March 17, 2017

Major General Scott A. Spellmon
Commander, Northwest Division
US Army Corps of Engineers
1201 NE Lloyd Blvd., Suite 400
Portland, OR 97232

Dear General Spellmon,

The National Marine Fisheries Service (NMFS) and the U.S Army Corps of Engineers (Corps) have had rich and active collaborations during the past few years regarding the ecological significance of shorelines. NMFS provided several technical documents to the Seattle District and the Northwestern Division (Division) to ensure there was a clear and current understanding of the science behind NMFS Endangered Species Act (ESA) and Critical Habitat concerns, and support the Corps in administering its programs consistent with federal salmon and ecosystem recovery objectives.¹

NMFS recently learned that the Corps intends to finalize and adopt the 2017 Nationwide Permit (NWP) program later this month, following a long interagency process designed to advance NWP protection of aquatic resources, including ESA-listed species.

For nearly 15 months, our interagency team has collaborated, reviewed relevant agency authorities, provided technical guidance, and considered anticipated future impacts to the Salish Sea from shoreline armoring. The shoreline ecosystem and associated food web in the Salish Sea is critical for many species listed under the ESA, including salmon and Southern Resident killer whales. The Puget Sound Partnership reports that 27% of Puget Sound shorelines are already affected by armoring, and a 2016 report documented cumulative adverse environmental impacts from armoring in the Salish Sea.²

Throughout the interagency team's NWP analysis, members considered conditions tailored to support regional economic and ecological priorities, including residential and commercial development and shoreline protection. Those regionally-specific conditions would simultaneously support shoreline protection and enable appropriate shoreline use within the limited geography of the Salish Sea. I urge you to retain the shoreline stabilization conditions

¹National Marine Fisheries Service, 2014. Importance of the Supratidal/Marine Backshore for Ecosystem Function and ESA listed Chinook and Summer Chum.

² Dethier, et al., 2016, Multiscale impacts of armoring on Salish Sea Shorelines: Evidence for cumulative and threshold impacts, Estuarine, Coastal and Shelf Science Volume 175, Pages 1-176 (20 June 2016).



recommended by the interagency workgroup as you finalize the NWP program. Those conditions reflect deliberative, science-based considerations of both human and ecosystem needs.

Furthermore, the 2017-21 Federal Puget Sound Action Plan specifically identifies shoreline, nearshore, estuary, and salmon recovery as top conservation priorities for the federal family.³ NMFS believes the 2017 NWPs and associated conditions pertaining to bank stabilization, as negotiated and proposed by the interagency team, are consistent with the objectives of the Federal Puget Sound Action Plan.

Finally, the federal family in Puget Sound works closely with the 21 Western Washington Treaty Tribes and staff of the Northwest Indian Fisheries Commission (NWIFC) to ensure we honor and properly administer our treaty trust responsibilities. The NWIFC member tribes also identified inadequate shoreline habitat protection and estuarine loss as principal concerns in their Treaty Rights at Risk (TRAR) White Paper.⁴ Retention of the proposed conditions pertaining to shoreline stabilization is a single, tangible action the Corps can take to advance the commitments made in the Federal Puget Sound Action Plan and the federal response to the TRAR initiative.

We appreciate your attention to our substantive concerns and the importance of shoreline ecosystem protection. NMFS looks forward to continuing to work with you and your staff on the many ecosystem and species conservation efforts in which our agencies are involved across Puget Sound, the Salish Sea, and throughout the Pacific Northwest. Please contact Assistant Regional Administrator Kim Kratz at (503) 231-2155 or Kim.Kratz@noaa.gov if you have questions or to further explore this request.

Sincerely,



Barry A. Thom
Region Administrator

cc via email: Colonel Buck, Seattle District Corps
David Alnutt, US EPA Region 10
Peter Murchie, US EPA Region 10
Curtis Tanner, USFWS, Lacey

³ U.S. EPA, 2017. Interim Draft Puget Sound Federal Task Force Action Plan, <https://www.epa.gov/sites/production/files/2017-01/documents/puget-sound-federal-task-force-action-plan-interim-draft-2017-2021.pdf>

⁴ Northwest Indian Fisheries Commission, 2011. Treaty Rights at Risk White Paper. <http://nwifc.org/w/wp-content/uploads/downloads/2011/08/whitepaper628finalpdf.pdf>

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